IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY,
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14378 of 2005

Between:

1 K. Sebastian, S/o. K. Jermaiah, Hindu,Junior Library Assistant, I.G.M. Library, University of Hyderabad,
Central University Campus, Gachibowli, Hyderabad - 500 046. AP.
2 P. Jagapathi Reddy, S/o. Late Basava Reddy, Hindu, Senior

Professional Assistant, I.G.M. Library, University of Hyderabad,
Central University Campus, Gachibowli, Hyderabad - 500 046. AP
3 M. Satyanarayana, S/o. Late Fakeeraiah, Hindu, B.C., Library

Attendant, I.G.M. Library, University of Hyderabad, Central

University Campus, Gachibowli, Hyderabad - 500 046. AP.
4 D. Kaliya, S/o. Bhav Singh, Hindu, S.T.,Library Attendant, I.G.M.

Library, University of Hyderabad, Central University Campus,

Gachibowli, Hyderabad - 500 046. AP.
5 B. Isthari, S/o. Late Jangaiah, Hindu, S.C., Senior Library

Assistant, I.G.M. Library, University of Hyderabad, Central

University Campus, Gachibowli, Hyderabad - 500 046. AP

PETITIONERS

AND

1 Union of India, Rep. by its Secretary, Ministry of Personnel,
P,G & P, Central Secretariat, Bahadurshah Zafar Marg, New Delhi

- 110 002
2 University Grants Commission, Rep. by its Chairman,
Bahadurshah Zafar Marg, New Delhi - 110 002.
3 The Executive Council, University of Hyderabad, Rep. by its

Chairman & vice -Chancellor, Central University Campus,

Gachibowli, Hyderabad - 500 046 AP.

4 The Vice -Chancellor, University of Hyderabad, Central

University Campus, Gachibowli, Hyderabad - 500 046 AP.
5 The Registrar, University of Hyderabad, Central University

Campus, Gachibowli, Hyderabad - 500 046 AP.
6 Dr. E. Rama Reddy, Officer on Special Duty (OSD Library) (on Contract basis), I.G.M. Library, University of Hyderabad,
Central University Campus, Gachibowli, Hyderabad - 500 046 AP.

RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction particularly one in the nature of writ of mandamus declaring the action of the official Respondents in appointing the 6th Respondent as Officer on Special Duty (Library) (On Contract basis) in the orders of the Registrar, University of Hyderabad in No.UH/P1/2005/232 dt. 31-5-2005, issued in pursuance of the Executive Committee resolution dt. 15-4-2005 and consequential approval by the Vice-Chancellor, University of Hyderabad is void, illegal, contrary to the approved norms and Notifications issued by the University Grants Commission and without following the procedure laid down in the University of Hyderabad Act 1974 and set aside the same and pass such other order orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.RAVI KUMAR TOLETY

Counsel for the Respondents 1 and 2 : CENTRAL GOVERNMENT PLEADER

Counsel for the respondents 3 to 6 : MR. C.V. NAGARJUNA REDDY

The Court made the following:

ORDER:

This writ petition is filed by the petitioners aggrieved by the orders passed by the 5th respondent in favour of the 6th respondent by virtue of which the 6th respondent was ordered to continue as an Officer on special duty for a period of three months with effect from 01-06-2005 or until further orders which ever is earlier to look after the duties of Librarian of Indira Gandhi Memorial Library.

According to the petitioners, the 6th respondent retired from his service on 31-05-2005 but however contrary to the rules, he was appointed as Officer on Special Duty to continue him as a Librarian of Indira Gandhi Memorial Library.

The learned counsel for the petitioners, at the time of hearing, referred to the proceedings of

retirement as well as the other relevant provisions, which prohibit re-employment of the retired people and also the procedure contemplated for appointment of the Librarian or any other officer. However, the counsel appearing for the University, on the other hand, stated that this appointment is only a stopgap arrangement till a regular Librarian is being selected. It is stated that in fact, a notification has already been issued on 14-5-2005 inviting the applications for Librarian post but, however, as it requires that one of the selection committee member has to be nominated in consultation with the President of India, the file was sent to the Central Government Municipality of H.R. Development for the said purpose and as it takes a little more time, for the regular selection of the Librarian and to avoid any difficulty in the Library, the 6th respondent who continued up to 31-05=-2005, was appointed for a period of three months or until further orders. The appointment of the 6th respondent is only stop-gap arrangement till the regular Librarian is appointed. Therefore, there is no justification to raise any grievance by the petitioners. At the time of hearing, though the learned counsel for the petitioner contended that the contention of the petitioners is just and proper, but in the present case it clearly shows that none of petitioners are eligible even to make their applications or being considered for appointment as Librarian. It shows that the present petitioners have come up with a particular purpose to see that 6th respondent shall not be continued. The allegations made by the petitioners does not deserve for consideration. As the 6th respondent was only allowed or appointed to continue for the maximum period of three months, under the impugned order, further as the notification as already been issued on 14-5-2005 and process of selection is already under way, the allegations made by the petitioners need not be gone into in this writ petition.

The writ petition is accordingly dismissed as devoid of merits.

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Justice S.ANANDA REDDY

Date: 5th July, 2005

Dvs

Copies to:

1. The Secretary, Union of India, Ministry of Personnel,
P,G & P, Central Secretariat, Bahadurshah Zafar Marg, New Delhi

- 110 002
2 The Chairman, University Grants Commission, ,
Bahadurshah Zafar Marg, New Delhi - 110 002.
3 The Chairman & vice -Chancellor The Executive Council University of

Hyderabad, , Central University Campus,

Gachibowli, Hyderabad - 500 046 AP.
4 The Vice -Chancellor, University of Hyderabad, Central

University Campus, Gachibowli, Hyderabad - 500 046 AP.
5 The Registrar, University of Hyderabad, Central University

Campus, Gachibowli, Hyderabad - 500 046 AP.

6. Two CD copies.

HONOURABLE SRI JUSTICE S.ANANDA REDDY

W.P. NO.14378 OF 2005

5th July, 2005